

JOHN F. COOK  
MAYOR

JOYCE WILSON  
CITY MANAGER



**CITY COUNCIL**  
ANN MORGAN LILLY, DISTRICT 1  
SUSIE BYRD, DISTRICT 2  
EMMA ACOSTA, DISTRICT 3  
CARL L. ROBINSON, DISTRICT 4  
MICHEL R. NOE, DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
CORTNEY CARLISLE NILAND, DISTRICT 8

## **AGENDA FOR REGULAR COUNCIL MEETING**

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**August 28, 2012  
COUNCIL CHAMBERS, CITY HALL  
8:30 a.m.**

**AND**

**LEGISLATIVE REVIEW MEETING OF THE WHOLE  
10<sup>th</sup> FLOOR CONFERENCE ROOM  
August 27, 2012  
9:00 a.m.**

NOTICE: At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.

***PLEASE NOTE: If items are scheduled for the Executive Session, the Council will move to Executive Session at 12:00 p.m. (noon) for the consideration of those items, or will hear the items at the end of the agenda or as determined by the Presiding Officer, whichever occurs first.***

### **ROLL CALL**

### **INVOCATION BY POLICE CHAPLAIN LISLE DAVIS**

### **PLEDGE OF ALLEGIANCE**

### **MAYOR'S PROCLAMATIONS**

- 1. HUNGER ACTION MONTH**
- 2. FIESTA DE LAS FLORES WEEK**

### **CALL TO THE PUBLIC – PUBLIC COMMENT**

**This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.**

A sign-up form is available on line at [https://www.elpasotexas.gov/muni\\_clerk/contact\\_public.asp](https://www.elpasotexas.gov/muni_clerk/contact_public.asp) for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

### **NOTICE**

Requests to speak must be received by **8:30 a.m.** on the date of the meeting.  
30 Minutes total is allotted for speakers.  
Three to five minutes may be allowed for each speaker.

**NOTICE TO THE PUBLIC**

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

**CONSENT AGENDA****1. APPROVAL OF MINUTES:**

Approval of Minutes for the Regular City Council Meeting of August 21, 2012.  
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

**2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:****3. RESOLUTIONS:**

- 3A.** That the City Manager be authorized to sign an Air Cargo Center Agreement by and between the City of El Paso and United Parcel Service, Inc. for office and warehouse space; loading dock and vehicle parking space, and aircraft parking apron and ground service equipment parking apron at the Air Cargo Center located at 301 George Perry Blvd., Suite D, El Paso, Texas. **(All Districts)**  
[Airport, Monica Lombrana, (915) 780-4724]
- 3B.** That the City Manager be authorized to sign a Lessor's Approval of Sublease between the City of El Paso ("Lessor"), TJW Aviation LLC ("Lessee"); and The Far West Texas & Southern New Mexico Trauma Regional Advisory Council d/b/a BorderRAC ("Sublessee") regarding a portion of the premises located at 6805 Boeing Drive, Suite A, El Paso, Texas 79925. **(All Districts)**  
[Airport, Monica Lombrana, (915) 780-4724]
- 3C.** A Resolution that sponsorship by the City of El Paso in the following Events constitutes an important public purpose and benefit to the City and its Citizens and that the City Manager be authorized to execute Agreements between the City of El Paso and the various Event Sponsors and that the amount of sponsorship by the City shall not exceed the amount of funding allocated in the 2013 Fiscal year budget for the following Events: El Paso Holocaust Museum (Tour de Tolerance) El Paso Motorcycle Coalition (Toy Run Parade) United American Veterans' Organization of El Paso (United American Veterans' Parade) Sun Bowl Association (First Light Federal Credit Union Sun Bowl Parade) YMCA of El Paso (Turkey Trot Run and Walk) Inter Club Council of El Paso (Black History Month Parade and Festival) Lydia Patterson Institute (Segundo Barrio 5K Race/Walk) Sin Fronteras Organizing Project (Cesar Chavez Parade/Marcha Capesina) Transmountain Optimist Foundation (Northeast Parade) El Paso Sun City Pride (El Paso Sun City Pride Parade) Del Norte Lions Club (Fourth of July Parade) **(All Districts)** [City Development, Mirian Spencer, (915) 541-4056]

- 3D.** That the City Manager be authorized to sign an Agreement for the Temporary Closure of State Right of Way (Form TEA 30A) by and between the City of El Paso and the State of Texas for the temporary closure and use of State owned Texas Avenue during The Holiday Light Parade on December 1, 2012, an event scheduled to exceed four hours in length and found by the City to serve a public purpose (LPAR12-00037) **(District 8)** [City Development, Mirian Spencer, (915) 541-4056]
- 3E.** That the Mayor be authorized to sign a the 2012 Planning Agreement by and between the State of Texas, acting through the Texas Department of Transportation (TXDOT) and the City of El Paso, Texas, acting in its capacity as the fiscal agent for the El Paso Metropolitan Planning Organization (MPO). **(All Districts)**  
[El Paso, Metropolitan Planning Organization, Roy Gilyard, (915) 591-9735]
- 3F.** That the City Manager be authorized to sign a three year Master Interlocal Cooperation Agreement by and between the City of El Paso, Texas, acting in its capacity as the fiscal agent to the Metropolitan Planning Organization for the El Paso Urban Transportation Study Area and the Texas Transportation Institute, for research, evaluations and other services related to transportation, on an as needed basis, for a total three year contract amount not to exceed \$200,000.  
**(All Districts)** [El Paso Metropolitan Planning Organization, Michael Medina, (915) 591-9735]
- 3G.** That the City Manager be authorized to sign a Master Interlocal Cooperation Agreement by and between The City Of El Paso, in its capacity as the fiscal agent for the El Paso Metropolitan Planning Organization ("MPO") and The Regents of New Mexico State University ("NMSU"). **(All Districts)**  
[El Paso Metropolitan Planning Organization, Michael Medina, (915) 591-9735]
- 3H.** That the Solid Waste liens on the attachment posted with this agenda be approved (See Attachment A) **(All Districts)** [Environmental Services, Ellen A. Smyth, (915) 621-6719]
- 3I.** That the City Manager or her designee be authorized to notify Texas Industries for the Blind and Handicapped, Inc. ("TIBH") and Border TM Industries, Inc. d/b/a Xceed Resources (together the "Contractors") that the City is exercising the option to extend the City Parks Restrooms Maintenance Contract entered into by and between the City of El Paso and the Contractors for an additional one year period (September 1, 2012 through August 31, 2013), for the amount of \$90,000, for the continuation of providing specified restroom care services for certain City properties managed by the City's General Services Department; and to authorize the City Manager or her designee to exercise future options to extend, as needed and provided under the contract. **(All Districts)** [General Services, Stuart Ed, (915) 621-6822]
- 3J.** Approve a Resolution dedicating as parkland approximately .4062 acres of City property located at 6200 and 6204 Fiesta Drive and described as a portions of Lots 362 and 363, Block 25, Coronado Hills Section Two, an addition to the City of El Paso, El Paso County Texas, according to the plat recorded in Volume 8, Page 40. **(District 8)** [Parks and Recreation, Nanette Smejkal, (915) 541-4283]
- 3K.** That the City Manager be authorized to sign a Lease Amendment by and between the City of El Paso and Jane Story, successor-in-interest to Gateway Garden Joint Venture to extend the term of the lease for a portion of the building located a 2211 East Missouri Ave. for the offices of the Internal Affairs Division of the El Paso Police Department, for two years beginning October 1, 2012 to

September 30, 2014, with options to extend the lease for three additional one-year periods. **(District 8)**

[Police, Gregory Allen, (915) 541-4897]

[City Development, Jane Tomchik, (915) 541-4505]

- 3L.** That the City Manager or designee be authorized to sign and submit Amendment No. 001 to Department of State Health Services, (DSHS) Contract No. #2012-039349 for its CHS – FEE FOR SERVICE program to decrease a performance measure and decrease the budget amount for a new total of \$291,280; and that the City Manager or designee be authorized to sign any amendments thereto to extend the project for up to twelve months, to make adjustments to the contract program budget that do not change the contract amount, and to sign all related certifications. **(All Districts)** [Public Health, Michael Hill, (915) 771-5702]

- 3M.** That the City Manager be authorized to sign an agreement between the Paso del Norte Health Foundation and the City to receive a grant in the amount of \$174,174 for 2012 HEAL: Eat Well! El Paso for the purpose of promoting healthy eating habits among El Paso residents. **(All Districts)**

[Public Health, Michael Hill, (915) 771-5702]

- 3N.** That the City Manager or designee be authorized to sign and submit the Amendment to the Program Attachment #001 to Department of State Health Services (DSHS) Contract No. #2012-040888 for its Health Promotion & Chronic Disease Prevention/Abstinence Education In-School Intervention program, to reduce the in-kind required matching funds from 75% to 37% of the total budget; and that the City Manager be authorized to sign any amendments thereto to extend the project for up to twelve months, to make adjustments to the contract program budget that do not change the contract amount, and to sign all related certifications. **(All Districts)**

[Public Health, Michael Hill, (915) 771-5702]

- 3O.** That the Mayor be authorized to sign a contract by and between the City of El Paso, and the Paseo del Este Municipal Utility District No. 8 to join various other entities for whom the City acts as property tax assessor/collector. **(All Districts)**

[Tax Department, Leo Fierro, Jr., (915) 541-4598]

**4. BOARD RE-APPOINTMENT:**

Cesar Gomez to the Historic Landmark Commission by Representative Ann Morgan Lilly, District 1. [Representative Ann Morgan Lilly, (915) 541-4886]

**5. BOARD APPOINTMENTS:**

- 5A.** Beatriz Lucero, Historic Landmark Commission by Representative Michiel R. Noe, District 5. [Representative Michiel R. Noe, (915) 541-4701]

- 5B.** Gustavo Reveles to the City Plan Commission by Representative Steve Ortega, District 7. [Representative Steve Ortega, (915) 541-4124]

**6. APPLICATIONS FOR TAX REFUNDS:**

That the tax refunds listed on the attachment posted with this agenda be approved.  
(See Attachment B) **(All Districts)** [Tax Office, Leo Fierro, Jr., (915) 541-4369]

**7. DISCRETIONARY FUNDS:**

Request that the City Council declare municipal purpose, and authorize the use of discretionary funds from District 8 in the amount of \$2,100; for the rental of a stage, live music, and peace officer crowd control for the South Side Block Party, or better known Segundo Barrio Dance, on September 15th to foster community pride, encourage civic engagement, and to celebrate the heritage and culture of one of the oldest neighborhoods in El Paso's History. [Representative Cortney Carlisle Niland, (915) 541-4268]

**8. REQUESTS TO ISSUE PURCHASE ORDERS:**

Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Paso del Norte Health Information Exchange (PdN HIE) of El Paso, TX; for a membership to access the electronic exchange of clinical data between all medical providers in El Paso, TX area.

Department:	Public Health
Award to:	Paso del Norte Health Information Exchange (PdN HIE)
	El Paso, TX
Total Award:	\$50,000
Account No.:	41150022 – 502215 – 06230
	41010162 – 502215 – 01101
Funding Source:	Outside Contracts – OPHP Bio Terrorism
	Outside Contracts – General Fund
Reference No.:	2012-305
<b>Districts:</b>	<b>All</b>

This is an annual membership contract.  
[Public Health, Michael Hill, (915) 771-5702]  
[Financial Services, Bruce D. Collins, (915) 541-4313]

**9. BIDS:**

**9A.** The award of Solicitation No. 2012-277, for EPIA AIR CARGO #1 DEMOLITION to JMR Demolition, Ltd., for a total estimated amount of \$178,500.

Department:	El Paso International Airport
Award to:	JMR Demolition, Ltd.
Base Bid:	\$178,500
Time for Completion:	180 Days
Account No.:	62620023 – 508027 – 41096 –AP0059
Funding Source:	Customer Facility Charge/El Paso International Airport
<b>District:</b>	<b>All</b>

It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award.

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

This is a lump-sum contract. The Engineering and Construction Management Department and the El Paso International Airport recommend award as indicated to the lowest responsive and responsible bidder.

[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

- 9B.** The award of Solicitation No. 2012-144 (Oregon Street Illumination) to Niland Company for a total award of \$269,505.

Department:	Engineering and Construction Management
Award to:	Niland Company El Paso, TX
Items:	All
Option:	To purchase 100% at the same unit price if exercised within 180 days from date of award
Total Award:	\$269,505
Account No.:	14400300 – 508027 – 27270 – PCP06ST022B
Funding Source:	2010 Certificate of Obligation -Transportation – Oregon Street Reconstruction
<b>District:</b>	<b>8</b>

This is a fixed-price, single (one-time) purchase.

The Financial Services - Purchasing Division and Engineering and Construction Management Department recommends award as indicated to Niland Company, the lowest responsive, responsible bidder.

[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

[Financial Services, Bruce D. Collins, (915) 541-4313]

### **REGULAR AGENDA - INTRODUCTIONS**

#### **10. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

**Public comment typically is not taken during the introduction of ordinances.**

**Public comments are invited at the date of the scheduled public hearing.**

- 10A.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.180 (No Stopping or Standing - Tow Away Zone), of the El Paso City Code, to delete Paragraph 112 thereby allowing parking on Father Rahm Avenue between El Paso Street and the first alley to the west of El

Paso Street, south side only, the penalty being as provided in section 12.84.010 of the El Paso City Code. **(District 8)**

[Department of Transportation, Keith Bennett, (915) 621-6882]

- 10B.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited At All Times On Certain Streets) to add West Drive from a point 300 feet southwest of Garden Place to a point 70 feet northeast, both sides, the penalty being as provided in Section 12.84.010 and Chapter 12.85 of the El Paso City Code. **(District 7)**

[Department of Transportation, Keith Bennett, (915) 621-6882]

**PUBLIC HEARING WILL BE HELD ON SEPTEMBER 11, 2012, FOR ITEMS 10A – 10B**

- 10C.** An Ordinance granting Special Permit No. PZST12-00006, to allow for infill development with reduced lot area, reduced lot width, cumulative setback, and a parking reduction on the property described as Lot 10, and the north half of Lot 9, Block 11, Mundy Heights Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 Infill Development of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Property Owner: Maria L Yee & Robert Concha. Subject Property: 1316 Missouri. PZST12-00006 **(District 8)**

[City Development, Michael McElroy, (915) 541-4238]

- 10D.** An Ordinance changing the zoning of Lot 10, and the north half of Lot 9, Block 11, Mundy Heights Addition, City of El Paso, El Paso County, Texas from C-2/H (Commercial/Historic) to R-4/H (Residential/Historic). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Property Owner: Maria L. Yee & Robert Concha. Subject Property: 1316 Missouri. PZRZ12-00015 **(District 8)**

[City Development, Michael McElroy, (915) 541-4238]

- 10E.** An Ordinance amending Title 20 (Zoning), Chapter 20.14 (Off-Street Parking, Loading, and Storage Standards), Section 20.14.020 (Scope), and Appendix C (Parking Regulations) of the El Paso City Code to amend the title of Appendix C, to amend the applicability provisions; to amend transitional housing parking requirements and amend single-family detached dwelling parking requirements. The penalty is as provided in Chapter 20.24 of the El Paso City Code.

**(All Districts)** [City Development, Linda Castle, (915) 541-4029]

- 10F.** An Ordinance changing the zoning of a portion of Tract 39-A, O.A. Danielson Survey No 310, City of El Paso, El Paso County, Texas from A-O/sc (Apartments-Office/special contract) to C-1/sc (Commercial/special contract) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Property Owner: Gabter, LP. Subject Property: East of George Dieter Drive and West of Zaragoza Road. PZRZ12-00017 **(District 5)**

[City Development, Michael McElroy, (915) 541-4238]

- 10G.** An Ordinance releasing all conditions placed on property by Ordinance No. 7871 and Ordinance No. 9264 which changed the zoning of a portion of Lot 1, Block 5, Mesa Hills Plaza, City of El Paso, El Paso County, Texas, and to impose an additional condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 5420 Hurd. Property Owner: Avico Family, L.P. PZCR12-00007 **(District 8)**

[City Development, Esther Guerrero, (915) 541-4720]

- 10H.** An Ordinance to release Condition No. 1 in its entirety and to amend a current condition placed on property by Ordinance No. 8343 and Special Contract of April 30, 1985, which changed the zoning of Lot 254, Block 17, Coronado Hills, Section No. 1, City of El Paso, El Paso County, Texas, and to impose an additional condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 5940 Cadiz Street. Property Owner: Anthony Rallis. PZCR12-00005 **(District 8)**  
[City Development, Esther Guerrero, (915) 541-4720]
- 10I.** An Ordinance granting Special Permit No. PZST12-00009, to allow for infill development with reduced side yard setbacks, reduced rear yard setbacks and a parking reduction; and to allow a professional office in an A-2 (Apartment) zoning district, on the property described as Lot 15 and 16, Block 278, Pierce Finley Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 Infill Development of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 1028 Rio Grande Avenue. Property Owners: Orlando & Dora Mondragon. PZST12-00009 **(District 8)** [City Development, Esther Guerrero, (915) 541-4720]
- 10J.** An Ordinance granting Special Permit No. PZST12-00007, to allow for a cemetery and mausoleum and approving a Detailed Site Development Plan on the property described as Tracts 24-A-1, 25-A, 25-C and a portion of Tracts 24-A and 29-A, Section 9, Block 81, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.260 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 8700 Dyer Street. Property Owner: SCI Texas Funeral Services, Inc., d/b/a Restlawn Memorial Park. PZST12-00007 **(District 2)** [Planning and Economic Development, Esther Guerrero, (915) 541-4720]

**PUBLIC HEARING WILL BE HELD ON SEPTEMBER 18, 2012, FOR ITEMS 10C – 10J.**

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 8:30 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Thursday, 7:00 a.m. to 6:00 p.m.

**REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS**

**11. INTERNATIONAL BRIDGES:**

Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue a Purchase Order to Public Facilities & Services, the sole source provider for the purchase of upkeep, maintenance and monitoring of the automated public toilets (Exeloo) with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

Department:	International Bridges
Award to:	Public Facilities & Services
	Roswell, GA
Annual Estimated Amount:	\$ 76,560



Total Estimated Award: \$229,680 (3 Years)  
 Account No.: 64010283 – 502206 – 40272  
 Funding Source: Maintenance Services Contract – Janitorial  
 Sole Source No.: 2012-303  
**District:** 8

This is a Sole Source, service and maintenance contract.

[International Bridges, Said Larbi-Cherif, (915) 533-7428]

[Financial Services, Bruce D. Collins, (915) 541-4313]

## 12. DEPARTMENT OF TRANSPORTATION:

Discussion and action on the award of Solicitation No. 2012-239 (Traffic Signal Heads) to General Traffic Equipment Corp and Leotek Electronics USA Corp for an initial term estimated award of \$621,780.

Department: Department of Transportation  
 Award to: Vendor 1 General Traffic Equipment Corp  
 Newburgh, NY  
 Items: 1 and 2  
 Initial Term: 3 Years  
 Option: 2 Years  
 Annual Estimated Award: \$148,750  
 Initial Term Estimated Award: \$446,250 (3 Years)  
 Total Estimated Award: \$743,750 (5 Years)

Award to: Vendor 2 Leotek Electronics USA Corp  
 Milpitas, CA  
 Items: 3, 4, 5, 6, 7, 8, 9, 10 and 11  
 Initial Term: 3 Years  
 Option: 2 Years  
 Annual Estimated Award: \$ 58,510  
 Initial Term Estimated Award: \$ 175,530 (3 Years)  
 Total Estimated Award: \$ 292,550 (5 Years)

Annual Estimated Award \$ 207,260  
 Initial Estimated Award: \$ 621,780 (3 Years)  
 Total Estimated Award: \$1,036,300 (5 Years)  
 Account No.: 32010287 – 503203 – 01101  
 Funding Source: Public Access Maintenance & Repairs – General  
 Fund FY 13  
**Districts:** All

This is a low bid, unit price contract.

The Financial Services - Purchasing Division and Department of Transportation recommends award as indicated to General Traffic Equipment Corp and Leotek Electronics USA Corp the lowest responsive, responsible bidders.

[Department of Transportation, Ted Marquez, (915) 621-6850]

[Financial Services, Bruce D. Collins, (915) 541-4313]

**13. ENGINEERING AND CONSTRUCTION MANAGEMENT:**

Discussion and action to award Solicitation No. 2012-286 for Fiber Optic Interconnect to El Paso A.R.C. Electric, Inc., for a total estimated amount of \$1,046,287.77.

Department: Engineering and Construction Management  
 Award to: El Paso A.R.C. Electric, Inc.  
 El Paso, TX  
 Base Bid: \$1,046,287.77  
 Total Estimated Award: \$1,046,287.77  
 Time for Completion: 2 Years  
 Funding Source: Various Funding Sources  
**Districts: All**

It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award. [Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

**14. FINANCIAL SERVICES:**

Discussion and action on a Resolution that the City Manager is hereby authorized to sign an agreement for financial advisory services between the City of El Paso and First Southwest Company for a contract term of five years beginning September 1, 2012 through August 31, 2017.

Department: Financial Services  
**Districts: All**  
 [Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]  
 [Financial Services, Bruce D. Collins, (915) 541-4313]

**15. POLICE:**

Discussion and action on a Resolution that the City Manager be authorized to sign a License to Use City Facility and Service Agreement by and between the City of El Paso and Integrated Forensic Laboratories, Inc. (IFL) to manage and maintain an on-site forensic crime laboratory at the City's police department headquarters and to provide certain forensic analysis services therein. This is a license and service agreement under which IFL shall be paid an amount not to exceed \$2,492,496.76 for the five-year term of the agreement (September 4, 2012 through September 3, 2017).

Department: Police  
**Districts: All**  
 [Police, Robert Feidner, (915) 564-7166]  
 [Financial Services, Bruce D. Collins, (915) 541-4313]

**REGULAR AGENDA – PUBLIC HEARINGS****16. CITY DEVELOPMENT:**

An Ordinance amending the Final Project Plan and Final Reinvestment Zone Financing Plan for Tax Increment Reinvestment Zone Number Five, City of El Paso, Texas; adopting said amendments as required by section 311.011(E) Texas Tax Code; also providing a severability clause. **(District 8)** [City Development, Mathew McElroy, (915) 541-4193]  
 POSTPONED FROM 08-21-12

**17. AIRPORT:**

An Ordinance amending Ordinance Numbers 010873, 012221, 012476, 012636, 014826, 015415, 015961, 016456, 017125, and 17435 which established operating procedures and set fees for Foreign-Trade Zone No. 68 and to allow the revisions to Zone Schedule No. 1, Rates, Rules, Charges and Regulations applying at Foreign Trade Zone No. 68, El Paso, Texas to amend the subzone fees and to revise the definitions of identified terms. **(All Districts)** [Airport, Monica Lombrana, (915) 780-4724]

**18. MAYOR AND COUNCIL:**

**18A.** An Ordinance amending Title 13 (Streets, Sidewalks and Public Places) Chapter 13.08 (Excavations), Section 13.08.090 (Specifications) of the El Paso City Code to amend the patching requirements for excavation across city right-of-way. The penalty being as provided in section 13.08.140 of the El Paso City Code.

**(All Districts)** [Representative Eddie Holguin, Jr., (915) 541-4178]

**18B.** Discussion and action that the City of El Paso's Design Standards for Construction Manual, Section 3 (Streets), be amended to add the (Pavement Cut Trench Repair, Addendum 1) as shown in Exhibit A, for all purposes.

[Representative Eddie Holguin, Jr., (915) 541-4178]

**REGULAR AGENDA – OTHER BUSINESS****19. CITY ATTORNEY'S OFFICE:**

Discussion and action regarding a Resolution that the City Manager be authorized to send notice to Murray, Montgomery and O'Donnell of the City's intent to exercise its second option to extend the Professional Services Agreement dated March 30, 2010 for one additional year commencing September 1, 2012 and terminating on August 31, 2013. Compensation for this option to renew shall not exceed \$118,200.

**(All Districts)** [City Attorney's Office, Sylvia Borunda Firth, (915) 541-4550]

**20. COMMUNITY AND HUMAN DEVELOPMENT:**

**20A.** Discussion and action on a Resolution that City Council adopt policies and procedures for the 39th Year (2013-2014) Community Development Block Grant (CDBG) Program, the 2013-2014 Emergency Solutions Grant (ESG) Program and the 2013-2014 Housing Opportunities for Persons with AIDS (HOPWA) Program, all such policies and procedures attached thereto as A through L; that City Council establish September 13, 2012 as the deadline for the submission of Letters of Intent from CDBG Public Service, ESG and HOPWA agencies; that City Council establish October 25, 2012 as the deadline for submission of all citizen, City Representative and Neighborhood Services requests; that City Council establish October 29, 2012 as the deadline for submission of all CDBG Public Service, ESG and HOPWA application packets; and that City Council establish December 13, 2012 as the deadline for the submission of all 2013-2014 City Department, Fair Housing, Microenterprise Technical Assistance, Non-

Profit/Governmental Entity Public Facility and Volunteer Housing Rehabilitation application packets. **(All Districts)**

[Community and Human Development, William Lilly, (915) 541-4643]

- 20B.** Discussion and action on a Resolution to approve an Empowerment Zone Revolving Loan Fund Small Business Loan application and loan funding to Carl Daniel Architects, Inc. and LION LOA, LLC., in the amount of \$300,000, as recommended by the Director of Community and Human Development; and, that the City Manager be authorized to execute any and all loan related documents by and among the City of El Paso, Carl Daniel Architects, Inc., LION LOA, LLC., and loan guarantor(s), required to meet loan program requirements, loan disbursement, and loan securitization upon approval by the City Attorney's Office. **(District 8)** [Community and Human Development, William Lilly, (915) 541-4643]

**21. ENGINEERING AND CONSTRUCTION MANAGEMENT:**

- 21A.** Discussion and action that the City Manager be authorized to sign the First Amendment to the Agreement for Professional Services by and between the City of El Paso and Walter P. Moore and Associates, Inc., a Texas Corporation, for a project known as "Communications Engineering On-Call Consulting Services", increasing the term of the Agreement from one year to two years and increasing the amount of the Agreement from \$250,000 to \$500,000; and that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this agreement. **(All Districts)**  
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]
- 21B.** Discussion and action that the City Manager be authorized to sign a two year Agreement for Professional Services by and between the City of El Paso and AECOM Technical Services, Inc., a California Corporation, for a project known as "Communications Engineering On-Call Consulting Services" for an amount not to exceed \$500,000; and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total two year contract amount not to exceed \$550,000; and that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this agreement. **(All Districts)**  
[Engineering and Construction Management R. Alan Shubert, (915) 541-4423]
- 21C.** Discussion and action that the City Manager be authorized to sign a Contract of Sale between the City of El Paso and Juan A. Gonzalez, for the purchase of the property commonly known as 701 Pendale, El Paso, Texas more particularly described as a portion of Lot 2, Block 3, West Pendale Industrial Park, an addition to the City of El Paso, El Paso County, Texas, according to the Plat thereof, recorded in Volume 44 Page 10, 10A, and 10B Plat Records of El Paso County, Texas. **(District 7)**  
[Engineering and Construction Management, Irene D. Ramirez, (915) 541-4431]

**22. FINANCIAL SERVICES:**

- 22A.** Discussion and action on Resolution adopting a policy determining the procurement methods for certain types of service contracts to be best value and competitive sealed proposal in order to ensure that to the extent permitted by

law, employee medical benefits will be an evaluation factor for contractors providing City services. **(All Districts)**

[Financial Services, Bruce D. Collins, (915) 541-4313]

- 22B.** Discussion and action of Resolution for City to delegate to the City Manager, or her designee, the general authority to approve change orders as allowed by Section 252.048 of the Local Government Code. **(All Districts)**

[Financial Services, Bruce D. Collins, (915) 541-4313]

- 22C.** Discussion and action on Petition of El Paso Electric Company for Approval of Rate Schedule 25-A-Large Power Service-Experimental Off Peak Rate filed with the City of El Paso and with the Public Utility Commission of Texas, PUC Docket No. 40641. **(All Districts)** [Financial Services, Carmen Arrieta-Candelaria, (915) 541-4011]

**23. PARKS AND RECREATION:**

- 23A.** Discussion and action that the Mayor is hereby authorized to sign, on behalf of the City of El Paso, an Interlocal Agreement between the City of El Paso (the "City") and the El Paso Independent School District (the "District"), to enhance the quantity and quality of recreational and athletic facility uses available to the residents of the City, at no cost to the City with the exception of City activities outside of EPISD normal facility operations, for an initial one-year term with renewal options **(All Districts)**

[Parks and Recreation, Liza Ramirez-Tobias, (915) 541-4599]

- 23B.** Discussion and action that the Mayor is hereby authorized to sign, on behalf of the City of El Paso, an Interlocal Agreement between the City of El Paso (the "City") and the Ysleta Independent School District (the "District"), to enhance the quantity and quality of recreational and athletic facility uses available to the residents of the City, at no cost to the City with the exception of City activities outside of YISD normal facility operations, for an initial one-year term with renewal options. **(All Districts)**

[Parks and Recreation, Liza Ramirez-Tobias, (915) 541-4599]

**24. MAYOR AND COUNCIL:**

- 24A.** Discussion and action regarding a Resolution that the City of El Paso hereby appoints one of the following board members to Position 4 of the Camino Real Regional Mobility Authority to fill an unexpired term left vacant by Dr. Tony Payan, term will expire on February 1, 2013:

1. Ricardo Dominguez, Jr.
2. Alfred Fernandez
3. Lorraine Huit
4. Kathleen G. Neal

**(All Districts)** [Mayor John F. Cook, (915) 541-4145]

- 24B.** Discussion and action on El Paso Water Utility's policy and process for weed management in ponding areas and adjacent right of way. **(All Districts)**

[Representative Michiel Noe, (915) 541-4189]

**25. CITY MANAGER:**

City Manager's report of current events and issues:

Presentation on City/County Information Technology Update and On-Going Third-Party IT Review. **(All Districts)**

[City/County Information Technology Officer, Peter Cooper, ((915) 546-2041]

[Information Technology, Miguel Gamino, (915) 541-4288]

### **EXECUTIVE SESSION**

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act and the Rules of City Council.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- EX1.** Petition of El Paso Electric Company for Approval to Revise Military Base Discount Recovery Factor Tariff pursuant to PURA §36.354, PUC Docket No. 40547. (551.071)  
[City Attorney, Sylvia Borunda Firth, (915) 541-4550]
- EX2.** Application of El Paso Electric Company to Amend its Certificate of Convenience and Necessity for Tow Generating Units at the Montana Site in Texas, PUC Docket No. 40301. (551.071) [City Attorney, Sylvia Borunda Firth, (915) 541-4550]
- EX3.** Clear Channel Outdoor, Inc., vs. The City of El Paso; Cause No. 2009-3939 (551.071)  
[City Attorney's Office, Kenneth Krohn, (915) 541-4550]
- EX4.** Clear Channel Outdoor, Inc., vs. The City of El Paso, et.al.; Cause No. 3-12-CV-00301 (551.071) [City Attorney's Office, Kenneth Krohn, (915) 541-4550]

### **NOTICE TO THE PUBLIC:**

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print, or audiotape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

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